

**SUMMARY MEETING MINUTES**  
**DARIEN ZONING BOARD OF APPEALS (ZBA)**  
**September 16, 2015**

**REGULAR MEETING**

Darien Town Hall - Room 206 – 7:47 to 8:50 PM

ZBA members present: Gary Greene, Vic Capellupo, Rich Wood, Ruth Anne Ramsey  
and Mike Nedder

Staff Present: Code Compliance Officer Robert Woodside and Recorder Judy Fazekas

**OPENING**

ZBA Chair Gary Greene opened the meeting at 7:47 PM. He requested cooperation and explained several procedural steps that would be used to conduct the meeting following the posted Agenda.

**CONTINUATION OF PUBLIC HEARING**

The following hearing was continued from the July 15, 2015 and September 9, 2015 meetings with various plans and submitted application materials reviewed, possible correspondence and public comment considered, questions asked, and comments made by the ZBA members and Staff:

**CALENDAR NO. 41-2015** - the application of William I. Haslun II, Esq. and Johnson, Haslun & Hogeman LLC on behalf of Giovanni's at Water's Edge and PR Partnership LLC submitted on June 19, 2015 for variances of Sections 381-387, 406, and 904 of the Darien Zoning Regulations; to allow the construction of a one story entry canopy addition; and modification of the front dropoff, parking, and landscape areas; Sections 381-387: enlargement of a non-conforming building and intensification of a non-conforming use; Section 406: 0.5 in lieu of 30.0 feet minimum required front yard setback; and Section 904: expansion of gross floor area with a possible reduction from the approximately 33 valid parking spaces on a property with deficient existing parking quantity. The property is situated on the south side of the Boston Post Road opposite the intersection of Brookside Drive and is shown on Assessor's Map #54 as Lot #35, being 2748 Boston Post Road and located in an R-1/3 (residential) Zone.

Vic Capellupo announced that he has reviewed the application materials, the CD recording of the July 15 hearing, and the submitted documents in order to be fully informed of this request and to be prepared to sit on this application.

Attorney Chip Haslun, Architect Josef Solta and Engineer Doug Reich answered various questions and explained the proposal depicted on the submitted plans and described in the application materials. The Public Hearing was then closed.

## **DELIBERATION AND DECISION**

The following decision was made after the ZBA members reviewed the public hearing comments, the submitted plans and other application materials, and carefully considered possible stipulations to ensure the best possible project fit among the neighboring properties:

**CALENDAR NO. 41-2015** - The application of William I. Haslun II, Esq. and Johnson, Haslun & Hogeman LLC on behalf of Giovanni's at Water's Edge and PR Partnership, 2748 Boston Post Road. The ZBA deliberated regarding this application and then determined to table the matter and continue discussion at the next scheduled ZBA meeting on October 14, 2015.

## **OTHER BUSINESS**

The following additional decisions were made after the ZBA members reviewed the submitted documents, correspondence and/or project plans:

Approval of Minutes of meeting on July 15, 2015. ZBA members attending this meeting were Gary Greene, Jeff Williams, Mike Nedder, Ruth Anne Ramsey, and Rich Wood.

Upon a motion by Gary Greene, seconded by Mike Nedder, the ZBA voted 4-0 to APPROVE the subject minutes. Those voting in favor were Gary Greene, Mike Nedder, Ruth Anne Ramsey and Rich Wood.

Approval of Minutes of meeting on July 22, 2015. ZBA members attending this meeting were Mike Nedder, Jeff Williams, Vic Capellupo, Chuck Deluca, and Rich Wood.

Upon a motion by Mike Nedder, seconded by Rich Wood, the ZBA voted 3-0 to APPROVE the subject minutes. Those voting in favor were Mike Nedder, Rich Wood and Vic Capellupo. Chuck Deluca also previously indicated his approval.

Discussion of September 29, 2015 Planning and Zoning Commission public hearing of recommended Zoning Regulation changes.

Mike Nedder, Vic Capellupo and possibly Rich Wood indicated they will attend the PZC meeting on September 29, 2015 on behalf of the ZBA.

Discussion of Verrillo v. Branford ZBA Appellate Court decision and Variance Checklist provided by Town Counsel.

Mike Nedder requested a copy of the Variance Checklist. The ZBA determined to further review this matter at a future meeting.

### **ADJOURNMENT**

The meeting was adjourned at 8:50 PM.

These Meeting Minutes,  
Respectfully submitted September 17, 2015,  
by Robert Woodside,  
Code Compliance Officer  
ZBA Staff

*These Minutes were reviewed by the attending ZBA members, modified as necessary, and upon a motion by Mike Nedder, seconded by Vic Capellupo, approved by a vote of 3-0 at the ZBA meeting on November 18, 2015. Mike Nedder, Vic Capellupo and Rich Wood voted in favor of the motion.*